Defence Strategy Submission

Thank you for the opportunity to make a submission concerning our future defence strategy..

I am a retired Barrister and Solicitor, government legal adviser, teacher and former part-time consultant to *The Human Rights and Equal Opportunity Commission*. I have maintained an interest in this area for many years and have written several online articles on our war activities for the ABC and others.

I make this submission in the context of the history of our defence strategies during the past century and the rapidly changing geo-political situation we now face, which I believe demands a radical and fundamental re-appraisal of our current and future defence strategy.

In this respect, I have been greatly assisted by the excellent work of renowned defence analyst Prof. Hugh White, whose recent book *How to Defend Australia* and his *Quarterly Essay: "Sleepwalk to War"* should be mandatory introductory reading for anyone interested in this subject.

1. **Historically, we have chosen to largely delegate major decisions about our defence strategy to our allies, in the hope that they will defend and protect us.**

Originally, we chose to rely on our relationship with our "Mother Country", Great Britain, as the major power in the West. We failed to recognise its waning power by WWII and were shocked when, having come to its defence, it failed to come to our's when we needed it. Our staunch ally abandoned us.
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After WWII, we simply transferred our allegiance to our newly adopted "Great Protector", the US, as the emerging dominant power in the world. We have effectively delegated our defence strategy to that nation ever since, through our ever-closer alliance. The fact that this has led us into unjustified, catastrophic wars in Vietnam, Iraq and Afghanistan and threatens to lead us into further potentially devastating (including nuclear) wars with China, North Korea or Russia has done nothing to lessen our national enthusiasm for going "all the way with the USA". As former PM Morrison stated as recently as last year: "It is *inconceivable* that we would not join the US in protecting Taiwan" and equally inconceivable, that we would not join the US in any other military conflict it chooses to engage in. After all, that is what we have always done. We seem incapable of thinking and acting in any other way.

US power is now waning in exactly the same way as Great Britain's was prior to WWII. Our "Mother Country" abandoned us then, when it quite reasonably decided that the cost to it of coming to our aid was too high. How confident can we be that our adopted "Great Protector", the US, will not likewise abandon us if it makes a similar calculation in the future? Do we really believe that a country, with whom we have much less sentimental ties and which is characteristically so self-centred, will act other than entirely in its own self-interest in determining whether to come to our aid when the chips are down?

As our ally's power continues to slide, we would be well advised to heed the Fool's sage advice to King Lear: *"Let go thy hold when a great wheel runs down a hill lest it break thy neck with following".*

2. **We need to base our defence strategy on a realistic appraisal of the rapidly changing and emerging geo-political realities that confront us.**

The old order is changing rapidly and fundamentally. We no longer live in a unipolar world dominated exclusively by the US. Its power has waned and will continue to slide - economically, militarily and politically. China's power has respectively risen dramatically and will continue to expand, to challenge the US for pre-eminence. One way or another, China will most likely become the dominant power in Asia and a leading power in a multipolar world, in which the US, China, Russia and India will probably be the major players affecting us. Closer to home, Indonesia and New Zealand will continue to be the most important of our neighbouring countries to consider in determining our defence strategy.

While there are many uncertainties, the one certainty is that the US's unilateral power is ending. While it will continue to be a great power in the world and may still be influential in Asia, China will almost certainly be *the* dominant power in our region. As Hugh White points out in his *Quarterly Essay,* sooner or later the US will step back from the region and leave us to make our own way with China as best we can. We need to face this reality and radically rethink our defence strategy accordingly.

"The first step is to get real about the situation we face. We need to stop underestimating China's power and resolve, and overestimating America's, because a correct assessment of their relative positions is essential to understanding what is happening in Asia and how we can best respond. We have been getting these things wrong for too long. …We should by now have learnt that the only prudent basis for our policy is to accept that China will not collapse and its ambitions will not be abandoned. The China we see now is the China we must learn to live with. Likewise, we have been too eager to accept, in the face of clear evidence, the comfortable consensus that America's position in Asia is invulnerable, that its armed forces are unbeatable and that its commitment to Asia is unshakable. We will never start to build ourselves a secure place in the new Asia until we banish these illusions. We need to get real, too, about how the rest of our region sees these issues. Far from being in the vanguard of a region united in its determination to resist China's ambition at all costs, we are an outlier in a region which is quietly getting on with the difficult business of adjusting to the new realities they seem to understand so much better than we do…..The Southeast Asians are acutely aware of China's ambitions and anxious about falling too far under its shadow. But they have no interest at all in taking America's side against China in a new Cold War. Singapore is America's closest partner in the region, but its prime minister, Lee Hsien Loong, has made this very clear. In 2020, he wrote that China and America "must work out a modus vivendi" in Asia."

Whether this will occur violently or peacefully, it will happen. Either way, this return to a multipolar world - as originally envisaged by the UN after WWII - will have major implications for the way we will need to engage with a rejuvenated China (restored to its earlier position), with the rest of Asia (in a new multilateral environment) and with the way we will need to renegotiate our relationship with the US.

3. **We need to develop a radically new, completely independent defence strategy for the future.**

There are a number of challenges here.

i) We need to finally grow up as a people and as a nation. We cannot remain dependent on others. We need to decide for ourselves, in this very different world, what kind of society we want to live in and what defence strategy will best meet our interests. Every citizen - not just the 'defence elite' - must be engaged and involved in this decision-making process, because we are all so materially affected.

ii) In developing an independent defence strategy for the coming world, we will need to have a much broader frame of reference than the previously very narrow focus on military matters. We will need to consider this issue in the context of other, arguably much greater, threats to our security. In particular, there is the looming crisis of climate change and all that will entail in terms of emergency relief, food and water security, pollution, collapsing ecosystems, biosecurity, people displacement, etc.

iii) Moreover, in deciding on the nature and extent of any military strategy, we will need to decide also, as a prior consideration, what overarching ethical and moral values must govern our decisions in this context. Our values should determine what interests we can pursue, not vice versa. In this respect, as a bare minimum, we must support the international legal principles adopted by the UN which we helped formulate after WWII. These clearly prohibit the use of force for anything but proportional self-defence from imminent attack on our nation or in the protection of others under the auspices and supervision of the UN. I have written about this in articles for the ABC and others: eg.
https://www.abc.net.au/news/2010-10-01/39408
https://tasmaniantimes.com/2013/11/lest-we-forget-the-need-to-morally-justify-afghanistan/

iv) We will then need to decide what price we are prepared to pay to defend and protect those interests - that are in accordance with our fundamental values - which we wish to pursue.
Prof. White's consideration of each of the options listed below in *How to Defend Australia* is refreshing.

v) Finally, we will need to have the necessary courage and resolve to carry our strategy through.
There are no easy options here. The future will be much more complex and problematic than the past.

4. **In developing a new defence strategy, we will need to make some very difficult choices.**
Broadly, we have five options:

Option 1: We can choose to continue to rely exclusively on the US.
This will not mean simply continuing as before and hoping for the best. The US will require us to invest far more than we have in the past in supportive defence capability, the AUKUS project being only the first of several demands the US is likely to make in terms of increased military expenditure. We will face increasing pressure to accede to the US requests to base missiles on Australian soil as part of its anti-China military strategy, which will dramatically increase our risk of being attacked directly. We will be required to deploy Australian troops and equipment in any war - including a war against China to defend Taiwan. All this will come at great economic cost and potentially enormous human suffering.

Option 2: We can seek to form other military alliances with other great powers.
We might form alliances with India, Japan, Indonesia, New Zealand and other neighbouring countries. (Although it might seem ludicrous to suggest that we might form an alliance with China as the emerging great power in our area, in years to come this may not seem so absurd - after all, "alliances" are frequently formed with former enemies, eg. Japan, Vietnam.) However, any such alliance will depend on us stepping up our military expenditure to a similar extent as will be required under the US alliance, with the same risks and still uncertain benefits. No alliances will ever be "forever": they have to remain fluid.

Option 3: We can aspire to military independence.
We could aim for military independence, refuse to enter any binding alliances but arm ourselves to the extent necessary to defend ourselves from any conventional attack. We could never become a major military power but we could aim to be a middle power able to stand on our own two feet in the wider world. However, the cost of doing so would be even greater than demanded in Options 1 and 2 above.

Option 4: We can opt for military neutrality,
We could decide on a strictly limited defence strategy designed and committed solely to defending and protecting our own territorial integrity. In so doing we would make it clear that we will remain neutral and never engage in wars beyond these clearly defined local limits.

This would still require a much greater military expenditure than we presently make but much less and more easily determined expenditure than Options 1-3, with fewer open-ended uncertainties.

A major benefit, however, would be a likely massive reduction, if not complete removal, of risks to our national security from foreign attack in the foreseeable future. With us no longer aligning with the US, China would have no reason to continue its hostility towards us and every reason to resume and expand its trading arrangements and economic co-operation with us.

It would also make it much easier to make practical decisions about the most appropriate military equipment to invest in eg. more Collins type submarines than Aukus types to more effectively defend our territorial waters, more anti-ballistic missiles designed to protect from foreign missile attack.

Finally, such an option would be legally, ethically and morally much more easily justifiable in accordance with international law and prevailing UN standards.

Option 5: We can choose not to further militarise, settle for being a small power and pursue a policy of peaceful co-existence with all countries.
As Prof. White's analysis acknowledges, this option is not as silly as it might sound at first. The economic costs of resolving conflicts through the use of force have already become way beyond what most nations can afford and the costs are rising exponentially. The material costs to replace damaged property and infrastructure in even a conventional (let alone nuclear) war will be astronomical: consider

the images from Ukraine as premonitions of the devastation to any of our own cities. The human costs in terms of deaths, injuries and psychological trauma will be devastating. The costs to the environment in all its dimensions will be catastrophic. Even if we avoid the MAD scenario (Mutual Assured Destruction)), there are unlikely to be any winners. In Churchill's incisive comment:"Victory would be bought so dear as to be almost indistinguishable from defeat." All this should make us pause.

Adoption of this option would be consistent with a more realistic assessment of our likely position in the future world as no more than a relatively minor player with no significant military power or pretensions, in much the same position as most of the other countries in our region and in the world. Going further, Costa Rica made the decision to demilitarise back in 1949, after military conflict. Its abolition of the army is an example to the world that it is possible to live in an unarmed democracy. It chose to spend its limited wealth on its own internal security and welfare rather than on defending itself from potential invasion. That is a risk its people have consciously been willing to make and live with.

Adopting this option would involve reframing our Defence Force as a Security Force, charged principally with responding internally to other emergencies that threaten our security eg. from climate change to pandemics, to border security from illegal immigrants, to cyber security etc.

This option is clearly the most ethically and morally responsible one because it involves no state-sanctioned, intentional killing, injuring or damaging of others or their property.

It also recognises the fundamental truth that, in the end, the only way to resolve conflicts is through sitting around the table and talking, through co-operation and negotiation, through mutual recognition and respect. Of course, I am not naive. I recognise that such a commitment will not guarantee safety from someone intent on violence. But hopefully adopting this strategy will reduce the likelihood of provoking such attack. And, even if not, a refusal to retaliate with force is no longer necessarily a sign of weakness. Surrender to an obviously superior force may well be the wisest option.

It is important that we fully appreciate the risks and costs of each policy option and are clear-sighted about their implications, for there will be a significant price to pay no matter which option we choose.

4. We need a fully informed debate before deciding on our strategy.

a) In order to choose wisely, we need the information required to make a proper cost-benefit analysis of each option and in order to inform a genuine public debate.

The relevant information is not readily accessible to the public, which doubtless suits the powers that be. Such information needs to be available in a clearly presented format to inform a meaningful public debate. The public has to pay for our defence strategy in terms of money, lost opportunity costs, anxiety about risks and the suffering of consequences. It is only right that it be consulted in its development.

b) It will require nothing less than a Royal Commission of Inquiry to determine the true costs.

An independent Royal Commision is the most appropriate body to gather together the evidence, to test its veracity and to report on the true costs of each option. Its terms of reference should probably be confined to such specific tasks as gathering the factual evidence to inform rather than evaluate the policy options..

c) This should be followed by a Special Joint Standing Committee to call for submissions. hold public hearings and make recommendations to parliament concerning the cost-benefit analysis and the most appropriate option(s) to pursue.

This is the place where the policy options should be considered, based on the factual evidence. Calling for public submissions, holding public hearings, evaluating the material and advising Parliament would ensure a much better informed public engagement and debate on this issue.

5. One possible and sensible approach would be to adopt the following proposals.

a) We should reject Options 1-3 outright.

These options have become far too expensive and too dangerous. They are now counterproductive. They are most likely to exacerbate existing tensions and increase the likelihood of war, against our interests, rather than promote peace, prosperity and welfare.

b) **We should adopt Option 4 as a first step in the right direction toward risk de-escalation.**
This is probably the least worst option the Australian public would be willing to accept at the present time, particularly with increasing global tensions and our growing anxieties about our security. Most people believe we must have some military force to protect us from potential invasion and that it would be reckless to rely solely on our geographical advantages, diplomacy and others' good will. We should opt for a severely limited, targeted military capability.

c) **We should aspire to Option 5 as our ultimate goal, for the good of ourselves, our world and the planet.**
This must be our goal: to create a world where the use of violence to resolve conflicts is absolutely prohibited and considered completely unacceptable in all circumstances without exception. We no longer tolerate violence in domestic situations - whether within family life, or between rival gangs, or between states (other than on the football fields!). We should not condone it between sovereign nations. It may seem inconceivable at this stage of our history, but the future of humanity and perhaps life on this planet will depend on whether we can collectively agree to renounce violence altogether from our repertoire of available options for solving conflict. Our old policies are no longer working. We need to change our direction before we end up where we are heading: annihilation! Preventing war is possible. Peaceful resolution of conflict is our only hope. This will be no easy task but it is the task ahead. We must all commit to actively work towards it, through a radical shift in our attitudes, commitments and behaviour.
What we need to work towards is a National Global Non-Military Peace Strategy.

6. What steps will be required?

a) **We must have a difficult, mature conversation with the US and assert our independence.**
This is necessary if we are to truly run our own affairs and is essential for a healthy relationship.

b) **At the very least, we must tell the US that we will not support it in any war against China or anyone else as part of its ongoing global, geo-political military strategy.**
This is the only way we can protect ourselves from being dragged into further conflicts that are increasingly likely to expose us to direct attack. It may also, hopefully, act as a break on the US.

c) **We need to renegotiate, or withdraw from, our current alliance with the US and replace it with a broader security agreement that does not require our military involvement.**
Our unquestioning alliance with the US has helped contribute to three of the most catastrophic and unjustified wars in the past century, at enormous economic costs and devastating human suffering to fellow human beings. We must not allow it to lead us into further similar debacles.

d) **We must renegotiate or withdraw from the AUKUS agreement.**
AUKUS is ill-conceived, too costly and unfit for purpose (in that it is designed to support US global military strategy overseas, rather than protect our own national interests closer to home). It dramatically increases current global tensions and the risks to our own security. It will take us in exactly the wrong direction. We need to change our focus away from long-range weaponry as part of a strategy to confront China and back to the territorial defence of our own borders.

e) **We must build a new relationship with China on a completely new foundation.**
In this respect, we could take a lead from one of our more enlightened Asian neighbours. Asked, *"What is your advice to Australia and the G7 on how to handle relationships with China?"* Prime Minister Lee Hsien Loong of Singapore replied in June 2021:
"You need to work with the country, it is going to be there, it is going to be a substantial presence and you can cooperate with it, you can engage it, you can negotiate with it. But it has to be a long and mutually constructive process. And you don't have to make it – You don't have to become like them, neither can you hope to make them become like you. And you have to be able to work on that basis."

f) **We must notify the world through the UN of our revised defence strategy and our commitment to support its peace initiatives. We must become a better global citizen.**
One of the most distressing features of recent foreign policy has been our willingness to trash the work of the UN, rather than support its efforts to ensure a more peaceful world, something our forefathers worked so hard to promote when setting it up after the devastation of WWII.

g) **We must immediately ratify and implement the Nuclear Non-Proliferation Treaty.**
Even more alarming has been the increasing production and stockpile of nuclear weapons and other weapons of mass destruction, as all powers increasingly militarise. We must support all efforts to reduce, eliminate and prevent the further proliferation of such heinous creations.

h) **We should redesign our military defence capability for the narrower purposes of defending ourselves from invasion.**
At the very least, this will involve withdrawing from the AUKUS agreement and investing in more appropriate updated Collins Class submarines that can be built much cheaper and more quickly to protect our territorial waters. It will involve seeking appropriate anti-ballistic missile weapons to protect our airways from attack. It will no doubt involve revising all our expenditure on military equipment to meet our more narrowly defined objectives.

i) **We must ensure our defence strategy and its implementation is much more transparent and accountable in the future.**
For too long there has been a cloak of secrecy surrounding the decision-making process, which historically is decided solely by the PM and his supporters. As I argued in my submission to the *Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2020, (*Submission No. 7, Appendix 1), this is far too narrow a base upon which to draw for making wise decisions about such momentous matters of vital public concern. At the very least, Parliament as a whole should be much more involved in defining and refining our defence strategy. This should not be restricted to the Executive and the National Defence Committee of the government of the day. There needs to be a much more broadly representative Standing Joint Parliamentary Committee whose function is to gather and disseminate accurate information to Parliament and the public, hold public hearings, make recommendations etc. We need much more integrity in the process.

j) **We should broaden our focus to address the more important task of civil defence against the larger threats to our and the world's security, such as climate change and all that this will entail in terms of emergency relief, food and water security, pollution, collapsing ecosystems, biosecurity, people displacement, health and well-being, etc.**

7. CONCLUSION: WE must change our direction, our thinking, our priorities & our commitments. What is required is nothing less than a fundamental change in our consciousness.

I am reminded of Einstein's dictum: *"We cannot solve problems using the same thinking and mindset that created them."* We desperately need to develop a new mind-set, and language, to deal with such conflicts: the very term 'Defence Strategy" betrays the ubiquitousness of the old paradigm of violence as the default final arbiter. Unless we radically change this, we are doomed. To change will require enormous effort and persistence. It will demand great courage. It will call forth our fullest humanity.

I would like to end my submission with the following prayer, composed by Michael Leunig:

God help us to change.
To change ourselves and our world.
To know the need for it. To deal with the pain of it. To feel the joy of it.
To undertake the journey without understanding the destination.
The art of gentle revolution.
Amen

Scott MacInnes
26 October 2022

Appendix 1:

Submission 7 Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2020

Thank you for the opportunity to make a submission concerning this important proposed legislation. This submission is intended to supersede an earlier version lodged on 2 October 2021.

I am a retired Barrister and Solicitor, teacher and former part-time consultant to *The Human Rights and Equal Opportunity Commission*. I have maintained an interest in this area for many years and have written several online articles related to this subject for the ABC and others.

I make this submission in the context of a history of very problematic decision-making in this area since the Second World War. During this period, we have seen rash and highly contentious personal decisions by Prime Ministers to commit Australia to long term disastrous military interventions in Vietnam, Iraq and Afghanistan at the behest of an ally who seems very likely to embroil us in further similarly ill-conceived ventures in the future.

Such decisions are far too important to be left in the hands of any one individual person—in particular, a Prime Minister, who may be personally vulnerable to the influence of a more powerful ally leader—or a small select group of individuals chosen by the Prime Minister from his supporters. That is far too narrow a base upon which to rely for wise decision-making.

Given the increasing proliferation of weapons of mass destruction, modern warfare involves a very real existential threat to the future of humanity. It is essential, therefore, that we put in place the best possible decision-making processes to ensure much wiser decisions concerning military action in the future.

1. I therefore broadly support this Bill, in particular:

   i) the requirement that decisions relating to the overseas service of members of the Defence Force must be authorised by Parliament as a whole, to avoid all the limitations associated with the current very narrow decision-making process;

   ii) the need for a mechanism for dealing with emergencies, to ensure not only protection from imminent attack in the case of genuine emergencies but also proper Parliamentary scrutiny of such decisions as soon as possible; and

   iii) the need for regular reporting back to Parliament of all relevant information during any period of deployment, to ensure that continuing deployment can still be justified.

   These amendments would ensure that such momentous decisions—involving the state authorised killing of other human beings—are given much fuller consideration. In this way, they would be subjected to proper initial and ongoing scrutiny and debate by an authority truly representative of the wider Australian community.

   It is even more important to have this greater representation in the decision-making process in recognition of the enormous human suffering that inevitably accompanies modern warfare (mostly of innocent civilians, in particular women and children), and also having regard to the huge economic costs and the very serious social consequences involved.

   In a democracy, such decisions are best entrusted to the representatives of the people in Parliament as a whole and not left to the judgment of one or a few individuals representing one political party or other vested interests.

2. I would also support the proposed amendment suggested by Prof. Williams in his submission, to require authorisation by a majority vote of a joint Parliamentary sitting of both Houses of Parliament. However, I would go further and require a two thirds majority vote, in order to reflect the seriousness of the decision and its consequences. This calls for a higher than normal degree of confidence in the correctness of the decision that military action can be justified. It would also ensure some degree of broader cross-party support, reflecting wider community representation.

3. The Bill should be further amended to require, in the legislation, that there be a 'conscience' vote on this issue. We should require each member of Parliament to exercise personal responsibility and vote in accordance with his or her own individual best judgment and conscience, having regard to relevant criteria, rather than voting along party lines or deferring to the judgment of others. The authorisation of the killing of other human beings necessarily requires nothing less than a personally responsible conscience vote.

4. The Bill should also be amended to include a list of relevant criteria for determining such decisions. Such criteria should be made explicit in the legislation to ensure that the decisions are not simply determined on the basis of vague assertions of the 'national interest', 'public policy', 'strategic' or 'economic' considerations but ultimately on whether the decision can be justified morally and ethically in accordance with well-established international legal principles, which include the following:

   "...[the requirement that there be] the threat of an imminent attack; whether military action is a last resort...; the proportionality of our response to the threat; the minimization of "collateral damage" to innocent third parties; the likelihood of a successful restoration of peace within a foreseeable time frame; ... whether further threats of violence are likely to be avoided or exacerbated by military action; etc" https://www.abc.net.au/news/2010-10-01/39408 https://tasmaniantimes.com/2011/11/lest-we-forget-how-do-we-justify-afghanistan/

   Specifying the relevant policy, legal and moral criteria in the legislation would greatly assist all members in arriving at the wisest, most defensible decisions and would help focus the public debate on matters of legal and moral principle and not just material interests or political expediency.

5. Of course, proper scrutiny of such decisions depends on access to as much of the relevant information as possible. The Bill needs to be further amended to ensure and enable the fullest possible access to the advice upon which the Executive is relying, consistent with the secrecy requirements of national security, which should be narrowly construed.

6. Finally, with the rapid escalation of advanced weapons technologies (including inter-continental ballistic missiles and drones) and facilities such as Pine Gap—which can be activated for war purposes without involving overseas service by members of the Defence Force—consideration should be given to treating decisions concerning their deployment from Australia in the same way as is proposed in this Bill.

In the likely event that the Bill will not pass in its present form—because of the long-standing refusal of both major parties to entertain any restriction on the Crown prerogative to engage in war—I would support, as a last resort, a further amendment as an interim measure that might gain wider support.

7. The Bill could be amended to guarantee Parliamentary scrutiny but allow for only a non-binding resolution concerning whether or not there is Parliamentary support for the Executive decision.

There would thus be a legislative requirement that Parliament be ‘consulted’ but its determination would be declaratory or advisory only, without in any way limiting the power of the Executive.

This would go some way to addressing the need for full Parliamentary scrutiny and for ensuring that the representatives of the people have the opportunity to declare whether they support the Executive decision or not.

It would also overcome the major argument of the opponents to the Bill that we should not limit the Crown’s Executive power in any way because to do so could have unspecified unforeseen consequences to national security.

Such a motion voted on by Parliament as a whole, though not enforceable, would still serve a valuable function as an official, independent resolution, analogous to a non-binding ‘declaration’ by a court or ‘determination’ by a body like The Human Rights and Equal Opportunity Commission. It could have a powerful effect on the Executive. However, it would be left to the Prime Minister/National Security Committee/Cabinet to make and accept full responsibility for the final decision.

This option, in my opinion, should only be supported on the basis that it would be a first transitional step towards finally requiring authorisation by Parliament, through subsequent amendment.

8. In the event that the Bill is not supported in any form, I believe the next appropriate step would be for this matter to be immediately referred to the Joint Standing Committee on Foreign Affairs, Defence and Trade or other appropriate body for further inquiry and report, in order to specifically address the various concerns that have been expressed about this proposal.

   Such concerns as have been raised should not be regarded as insuperable obstacles to achieving the desired Parliamentary scrutiny, accountability and transparency. Rather, they should be regarded as invitations to think more creatively about how to achieve these important goals, to which we should all be committed.

   For example, such a body could consider a wider range of options, including the following.

9. Legislation could require that such decisions be made (and/or recommended to Parliament) by a two third majority vote of a specially constituted Joint National Defence Committee.

   This expanded Committee could consist of an equal gender mix of members of the Government, Opposition parties and Independents, all signing the Official Secrets Act and bound by a Code of Conduct that prevents any disclosure of Committee deliberations. It would be able to operate in exactly the same way as the current National Defence Committee and consider all the same national security advice and information, with the same agility.

   It could make an equally well informed judgment but one that would be much more representative of, and acceptable to, the Parliament and the Australian people as a whole, than the current narrow, politically partisan, male-dominated process.

   Given that military engagement typically lasts longer than any one government, it would make a lot of sense to have decisions made by this more representative Joint National Defence Committee, particularly if Parliament was ultimately considered inappropriate to make such decisions because of national security concerns. Of course, Parliament should still be consulted, as recommended above.

A decision to engage in war is arguably the most important decision any government can make because it involves the state sanctioning of what would otherwise amount to murder, grievous bodily harm, property destruction and economic and social dislocation on a massive scale.

Such decisions are far too momentous for any one person or small select group of people to be permitted to make.

People are often outraged by Prime Ministers making “captain’s calls’ concerning such minor matters as appointments of honours. Yet decisions to engage in potentially catastrophic warfare affecting millions of people’s lives are often seen in the same way—as little more than 'captain's calls' made by the Prime Minister (at the behest of, and to please, a foreign leader), which are subsequently ‘rubber-stamped’ by a select group of his or her political supporters. While this may be a caricature, it is understandable that many people feel outraged at our very narrow decision-making process and the decisions that result from it. We desperately need reform not only to improve the quality of the outcomes but to re-establish public trust in the integrity of the process.

It is clear that we can no longer afford to leave absolute power to make such momentous decisions in so few hands. There needs to be more checks and balances and more opportunities for genuine debate, if we are to make sounder judgments.

Such decisions should be more representative and reflect the wisdom of the Australian people—hence the overwhelming majority public support for requiring such decisions to be made by Parliament as a whole, rather than by a select few, representing only one side of the political spectrum.

I commend the Bill and the above suggested amendments as an important step in the right direction, in order to promote wiser, more democratic decision-making in the future and to create a more peaceful world in which all peoples may flourish.

Scott MacInnes
13 October 2021
International Day for Disaster Risk Reduction